



## **Memorandum**

**To:** Honorable Mayor Maso and Members of the Frisco City Council

**cc:** George Purefoy, City Manager  
Cissy Sylo, P.E., Director of Engineering Services  
Elizabeth Metting, P.E., Assistant Director City Engineer  
Brian Moen, P.E., Assistant Director Transportation  
Jason Brodigan, P.E., Senior Civil Engineer

**From:** John Manganilla, Right-of-Way Agent

**Date:** December 16, 2008

**Subject:** Consider and Act on approval of a Resolution determining a public necessity to acquire, by purchase or condemnation, certain property for right-of-way for the construction of and/or improvements to Eldorado Parkway, from Independence Parkway to approximately 1300 feet east of Independence Parkway; giving notice of an official determination to acquire property for right-of-way for Eldorado Parkway, from Independence Parkway to approximately 1300 feet east of Independence Parkway; authorizing the City Manager of the City of Frisco, Texas to establish procedures for acquiring the property by purchase or condemnation; appropriating funds; making offers; and providing for an effective date. (Engineering)

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**Action Requested:** This is a request for City Council's consideration and approval of a Resolution, determining a public necessity to acquire, by purchase or condemnation, certain property for right-of-way for the construction of and/or improvements to Eldorado Parkway, from Independence Parkway to approximately 1300 feet east of Independence Parkway. This action is necessary for the completion of the roadway project.

**Background Information:** According to the terms of an Interlocal Agreement between the City of Frisco and the Frisco Independent School District (FISD) executed in February 2008, FISD will reimburse the City for the estimated costs of the existing lanes of Eldorado constructed adjacent to the school site as allowed in accordance with state laws which FISD previously owned when the roadway was built. The City of

Frisco will be responsible for the acquisition costs for the right-of-way necessary to construct the intersection improvements.

Frisco Independent School District (FISD) began construction of the Heritage High School near the intersection of Eldorado and Independence Parkway in July 2007. While certain improvements such as turn lanes are required for the development of the FISD Heritage High School property, the City and FISD chose to partner on the design and construction of permanent improvements in lieu of temporary pavement that might typically be installed while awaiting adjacent private development. Improvements include permanent traffic signals at Eldorado and Independence, turn lanes along Eldorado and along Independence at the High School entrances, a westbound to northbound right turn lane on Eldorado, and two (2) additional lanes to connect existing portions of pavement for eastbound Eldorado traffic.

FISD contracted with RLK Engineering for the design of the improvements in August 2007. The design of the permanent improvements is now complete, along with the identification of land needed to construct the improvements. These improvements will allow traffic to flow with less congestion in the immediate area of the High School. These roadway improvements are important for improved access to Roach Middle School, which opened in Fall 2005, as well as to Heritage High School, which is anticipated to open Fall 2009. This intersection frequently experiences traffic congestion at school start and dismissal times, which will be exacerbated by the opening of Heritage High School. Providing these improvements will benefit area residents and school attendees at the Middle and High Schools as well as the peak period commuter traffic.

All necessary right-of-way has been obtained with the exception of the parcel at the southeast corner of Eldorado Parkway and Independence Parkway. The City needs approximately 1.8253 acres from the 22.2138 acre tract for the future right-of-way for Eldorado Parkway adjacent to this parcel. Negotiations are currently ongoing and we anticipate being able to reach a settlement with the property owner on the fair market value for the necessary right-of-way.

**Alternatives:** The City Council could consider the following alternatives:

- Approval of Resolution;
- Input towards the discussion as desired;
- Send back to staff with direction.

**Financial Considerations:** Staff recommends that financing for this purchase be provided from the 2007 General Obligation Bonds.

**Legal Review:** The Resolution has been reviewed and approved by the City Attorney.

**Supporting Documents:** Supporting documents include the following items:

- Copy of Resolution including Exhibits “A” and “B” – Eldorado Parkway Right-of-Way , 2 Total Pages, December 16, 2008.
- Copy of Location Map

**Staff Recommendation:** Staff recommends placement of this item on the December 16, 2008, City Council meeting agenda to consider and approve a Resolution of the City Council of the City of Frisco, Texas, determining a public necessity to acquire, by purchase or condemnation, certain property for right-of-way for the construction of and/or improvements to Eldorado Parkway, from Independence Parkway to approximately 1300 feet east of Independence Parkway; giving notice of an official determination to acquire property for right-of-way for Eldorado Parkway, from Independence Parkway to approximately 1300 feet east of Independence Parkway; authorizing the City Manager of the City of Frisco, Texas to establish procedures for acquiring the property by purchase or condemnation; appropriating funds; making offers; and providing for an effective date. Staff will be available during the December 16, 2008, meeting to address any questions.